

**OFFICE OF THE STAFF JUDGE ADVOCATE
THIRD PARTY LIABILITY RECOVERY PROGRAM**

WHAT IT IS NOT: THIS IS NOT A CLAIM AGAINST A SOLDIER!

WHAT IT IS:

The program is designed to recover from third party payers the cost of medical care provided to injured soldiers, retirees, or their family members. Medical treatment is provided by TRICARE and/or the POM Army Health Clinic. An injured soldier may contact claims personnel directly for information regarding the claims process. Please note: the injured soldier is required by federal law and Army regulations to complete all questionnaires and cooperate with claims personnel.

TYPES OF RECOVERY:

Injuries sustained as a result of automobile accidents (driver or passenger), pedestrian accidents, acts of violence, slip and falls, unsafe consumer products, animal bites, food poisoning, and many other types of incidents. Reports of Survey should also be reported to the SJA.

SOURCES OF RECOVERY:

Automobile insurance companies, worker's compensation funds, and other available health insurance. Recovery may also be made from the underinsured, uninsured, medical payments or personal injury protection coverage of the injured party's own auto insurance.

COST OF SOLDIER'S PAY:

Costs of pay are recoverable when the soldier is unable to perform any military duties due to injuries caused by the wrongful conduct of a third party. **All recovered pay is returned directly to the unit that the soldier is assigned at the time of accident.** A DA 31 placing the soldier on hospital/convalescent leave/quarters and any documentation from doctors or medical personnel to support this leave should be submitted promptly to the Claims Office.

The chain of command should contact the SJA immediately when a soldier has been injured. This allows the timely processing of the claim as well as gathering all supporting documentation. Please contact the individuals listed below should you have any questions.

POINTS OF CONTACT:

Ms. Jay Love, Claims Investigator, 242-6389
Mrs. Lannette Moutos, Chief of Claims, 242-6395

REFERENCES:

AR 27-20, Claims
AR 27-40, Litigation
DA Pam 27-162, Claims
Federal Claims Collection Act, 31 USC 3711
Federal Medical Care Recovery Act, 42 USC 2651-2655
Third Party Collection Program, 10 USC 1095